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6 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of: Diem; Max et. al.

October 24, 2003

Serial No.: 09/868,463

Group No.: 1743

Filed: June 18, 2001

Examiner: JAN M. LUDLOW

11 For: Method of Characterization of Biological Entities

Commissioner of Patents and Trademarks

Alexandria, VA 22313-1450

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AMENDMENT AND RESPONSE TO EXAMINER'S COMMENTS

INTRODUCTORY COMMENTS

21 In response to the Office Action dated 6/30/03 , please amend the above-identified application as follows:

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1 63. (new) The method of claim 62, wherein the means for illuminating the cells comprises a
2 first laser having a first defined wavelength.

1 64. (new) The method of claim 63, wherein the first laser is pulsed when the location means
2 locates a first cell in a position to be illuminated by the first laser.

1 65. (new) The method of claim 64, wherein the Raman spectrum of each cell is recorded.

1 66. (new) The method of claim 65, wherein the Raman spectrum of each cell is analyzed for
2 indications that the cell is in a cell division stage.

1 67. (new) The method of claim 66, wherein the indication that a cell is in a cell division stage is
2 the presence of a signal indicating DNA in the Raman spectra.